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Attn: Examiner Cindy Nguyen
Patent Examining Corps
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Alexandria, VA 22313-1450FROM: George H. Gates
OUR REF.: STL919990184US2
TELEPHONE: (310) 642-4146

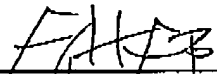
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|--------------------------------|---|
| Title of Document Transmitted: | TRANSMITTAL DOCUMENTS (2) AND NOTICE OF APPEAL |
| Applicant: | David E. Simmen |
| Serial No.: | 09/669,556 |
| Filed: | September 26, 2000 |
| Group Art Unit: | 2161 |
| Title: | QUERY OPTIMIZATION TECHNIQUE FOR OBTAINING IMPROVED CARDINALITY ESTIMATES USING STATISTICS ON PRE-DEFINED QUERIES |
| Our Ref. No.: | STL919990184US2 |

Please charge all fees to Deposit Account No. 09-0460 of IBM Corporation, the assignee of the present application.

By: 
Name: George H. Gates
Reg. No.: 33,500

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-------------|---|-----------------|-----------------|
| Applicant: | David E. Simmen | Examiner: | Cindy Nguyen |
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CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8I hereby certify that this correspondence is being filed via facsimile transmission to the U.S. Patent and Trademark Office on March 2, 2007.By: [Signature]
Name: George H. Gates

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing a Certificate of Mailing or Transmission under 37 CFR 1.8.
- ☒ Notice of Appeal.
- ☒ Charge the Fee for the Notice of Appeal in the amount of \$500.00 to the Deposit Account.

Please consider this a **PETITION FOR EXTENSION OF TIME** for a sufficient number of months to enter these papers, if appropriate.

Please charge all fees to Deposit Account No. 09-0460 of IBM Corporation, the assignee of the present application. A duplicate of this paper is enclosed.

Customer Number 45729
GATES & COOPER LLP
Howard Hughes Center
6701 Center Drive West, Suite 1050
Los Angeles, CA 90045
(310) 641-8797

By: [Signature]
Name: George H. Gates
Reg. No.: 33,500
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I hereby certify that this correspondence is being filed via facsimile transmission to the U.S. Patent and Trademark Office on March 2, 2007.By: [Signature]
Name: George H. GatesNOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCESMail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. § 41.31, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final rejection of claims 1, 3-11, 13-21 and 23-30 of the above-identified application, as set forth in the Office Action mailed December 5, 2006.

03/05/2007 TL0111 00000030 090460 09669556
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Please charge the amount of \$500.00 to Deposit Account No. 09-0460 to cover the required fee for filing this Notice of Appeal as set forth under 37 C.F.R. § 41.20(b).

Respectfully submitted,

David E. Simmen

By their attorneys,

GATES & COOPER LLP
6701 Center Drive West, Suite 1050
Los Angeles, California 90045
(310) 641-8797

Date: March 2, 2007

GHG/kmk

By: 

George H. Gates
Reg. No.: 33,500